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Agenda item 112 (c)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

Situation of human rights in Nigeria

Note by the Secretary-General

1. In its resolution 1997/53 of 15 April 1997,[1] the Commission on Human Rights decided to invite the Chairman of the Commission to appoint a Special Rapporteur on the situation of human rights Nigeria, with a mandate to establish direct contacts with the authorities and the people of Nigeria, requested the Special Rapporteur report to the General Assembly at its fifty-second session and to the Commission at its fifty-fourth session, on the basis of any information that might be gathered, and to keep a gender perspective in mind when seeking and analysing information, and requested the Secretary-General, in the discharge of his good offices mandate and in cooperation with the Commonwealth, to continue further discussions with the Government of Nigeria and to report on progress in the implementation of the resolution and possibilities for the international community to lend practical assistance to Nigeria in achieving the restoration of democratic rule and the full enjoyment of human rights and fundamental freedoms.

2. After consultations with the Bureau, the Chairman of the Commission appointed on 24 June 1997 Mr. Tiyanjana Maluwa (Malawi), Professor of international law at the University of Cape Town, South Africa, as Special Rapporteur of the Commission on the situation of human rights in Nigeria.

3. On 12 August 1997, however, Mr. Maluwa informed the Chairman of the Commission that he had to decline this appointment in view of his current work schedule and other professional responsibilities and commitments.

4. Consequently, and following consultations with the members of the Bureau of the Commission, the Chairman of the Commission appointed on 16 October 1997 Mr. Soli Jehangir Sorabjee (India) as Special Rapporteur of the Commission on the situation of human rights in Nigeria.

5. In view of the fact that the new Special Rapporteur has only recently been appointed, the General Assembly at its fifty-second session will not have before it an interim report on the situation of human rights in Nigeria. The Special Rapporteur intends to report to the Commission at its fifty-fourth session as requested in Commission resolution 1997/53.

Notes

[1] Official Records of the Economic and Social Council, 1997, Supplement No. 3 (E/1997/23), chap. II, sect. A.

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Agenda item 157

UNITED NATIONS REFORM: MEASURES AND PROPOSALS

Note by the Secretariat

During the course of the open-ended informal consultations of the plenary on agenda item 157, the Secretariat responded to comments and queries raised by delegations on 21 and 28 October 1997. The information concerning the actions is made available to Member States in the present document.

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Secretariat response to comments and queries

1. The Secretary-General thanks all delegations for their contributions. He notes the interest shown by delegations and appreciates the depth of their comments.

2. The Secretary-General wishes to reiterate that, in developing his reform measures and proposals, careful account was taken of the considerable body of information, analysis and recommendations resulting from the deliberations of Member States in the General Assembly and its relevant working groups. Account was also taken of proposals made by groups of States and by individual States, recommendations emanating from independent commissions and other bodies, and from the reports prepared by the Office of Internal Oversight Services, the Joint Inspection Unit and the Board of Auditors.

Action 1. Senior Management Group

3. The establishment of the Senior Management Group is an initiative of the Secretary-General intended to ensure more integrated and cohesive management of the Secretariat. The Group has already been established and meets on a weekly basis. It is not an independent decision-making body or a separate management layer. The functions of the Group are as follows:

(a) The Senior Management Group serves as the Secretary-General's senior advisory and central policy planning body to ensure strategic coherence and direction in the work of the Secretariat;

(b) The Senior Management Group will advise the Secretary-General on all matters of policy preparation and implementation that affect the Organization as a whole, and will also serve in a crisis management capacity.

The Senior Management Group neither duplicates any existing management instrument nor adds a new layer of bureaucracy.

4. The essential difference from previous practice is that a formal mechanism has been put in place; the functions of the group are clearly defined; the objectives of the meetings between the Secretary-General and the senior officials have been established; a regular schedule exists for the periodicity of these meetings; and the composition of the Senior Management Group is transparent. The Group deals solely with issues that fall within the administrative responsibility of the Secretary-General.

5. The composition of the Senior Management Group is reflected in the Secretary-General's bulletin on the subject (ST/SGB/1997/3).

Action 2. Strategic Planning Unit

6. A Strategic Planning Unit is being established to assist the Secretary-General in identifying and analysing emerging global issues and trends. In proposing its establishment, the Secretary-General is responding to a felt need for a "think-tank" within the Secretariat. The Strategic Planning

Unit will not have direct line authority, for it will serve as a mechanism for integrating information communicated by a range of United Nations departments, funds, programmes and research institutions and will concentrate, in particular, on cross-cutting issues. It will draw on those other capacities and not duplicate them. The need for cross-cutting analysis has become increasingly evident as the areas of work of the distinct sectoral approaches of United Nations entities are more and more interrelated. The establishment of the Strategic Planning Unit is not linked to the establishment of the post of Deputy Secretary-General. The Unit will, in fact, provide support to the Secretary-General directly as an integral part of the Executive Office of the Secretary-General. The budgetary requirements for the Strategic Planning Unit are set out in document A/52/303.

Action 3. Gratis personnel

7. The statistics regarding the Secretariat's use of gratis personnel were presented to the General Assembly in the Secretary-General's report (A/51/688 and Corr.1 and Add.1-3). As at 31 October 1996 the total number of all gratis personnel, consisting of type I, namely, technical cooperation experts (238), and type II gratis personnel, including 112 for the United Nations Special Commission (442), stood at 680. In A/51/688/Add.2, the Secretariat reported a total of 202 type I and 334 type II gratis personnel at 31 March 1997. Data for Special Commission personnel had been excluded as explained in that document. The Secretariat is now collecting the most recent data (end September 1997) for an updated report for issuance in November. Preliminary indications are that the use of gratis personnel has declined further.

8. The phase-out plan will concern type II gratis personnel, taking into account the requirements of the Criminal Tribunals and the support account for peacekeeping operations. A report on the phase-out was requested by the General Assembly and will be submitted in time for the discussion scheduled for 20 November 1997. The report detailing the impact of the phase-out of gratis personnel is scheduled for submission on 16 March 1998.

9. As to the use of the dividend for development in this connection, the Secretariat is of the view that the phase-out of gratis personnel is not an appropriate use of the dividend, whose use is restricted to development projects; no gratis personnel are currently assigned to such functions.

Action 5. Department of Political Affairs (focal point within the United Nations for post-conflict peace-building)

10. With respect to action 5, in post-conflict situations the Department of Political Affairs has been accorded a focal-point role within the Secretariat to assist the Secretary-General in ensuring coherence in the activities of all relevant entities of the United Nations, in recognition of the fact that such solutions require a multifaceted approach. The Department will work in close collaboration with United Nations Development Programme (UNDP) and other development entities, in line with General Assembly resolution 47/120 B. This decision does not mean that the Department is acquiring operational responsibilities or substantive capacity in the development area.

Action 6. Disarmament

11. In this area, the Secretary-General sought to respond to the interests of Member States for more information by circulating document A/51/950/Add.4, which represents a progression of the Secretary-General's thinking, bearing in mind comments made by Member States on this particular action. That document also gives the Secretary-General an opportunity to ensure that the emphases regarding the work programme of the Secretariat in this area are fully presented. It may be recalled that this is the one subject which, in the informal list of measures of proposals of 7 October 1997, was reflected in all three categories: actions under implementation; actions requiring budgetary consideration; and recommendations to the members of the General Assembly. The part of the proposal relating to the post of Under-Secretary-General falls under the second category, while the question of the programme of the department falls under the third category. The Secretary-General fully recognizes that the question of the programme of work on disarmament requires the consideration and concurrence of Member States.

Action 7 (a). Substantive Economic and Social Council secretariat

12. The Secretary-General is gratified by the broad support which has been given to his proposal to provide future substantive support to the Economic and Social Council through the setting up of an identifiable substantive secretariat headed at a senior level. The substantive secretariat would, in particular, support the work of the high-level, coordination and operational activities for development segments of the Council. In addition, it would play an integrating role vis-à-vis the other substantive units in the new Department of Economic and Social Affairs which support the subsidiary machinery of the Council as well as other parts of the system contributing to the work of the Council.

Action 7 (b). Department of Economic and Social Affairs and United Nations Conference on Trade and Development review of their activities in the macroeconomic area

13. Regarding the action to rationalize the work of the Department of Economic and Social Affairs and the United Nations Conference on Trade and Development (UNCTAD), the Secretary-General will keep Member States fully informed about the outcome of the ongoing consultations. He fully anticipates that the distinctive contribution of these two entities will be preserved. The purpose of the present consultations is to strengthen the respective roles of the Department and UNCTAD by further reinforcing complementarities, in full accordance with legislative mandates.

Action 8. Drug control and crime prevention

14. The Secretary-General is gratified by the many comments that have been made expressing appreciation for his determination to give a higher profile to the work of the United Nations on drug control and crime prevention, including terrorism, money laundering and trafficking in women and children. As Member States are aware, Mr. Pino Arlacchi has assumed his duties as Head of the Office for Drug Control and Crime Prevention. The new Secretariat arrangements in Vienna will provide a common managerial structure designed to foster synergies

between the drug control and crime prevention work programmes as well as to stimulate the establishment of joint programmes on matters of common concern. The Commission on Crime Prevention and Criminal Justice and the Commission on Narcotic Drugs will continue to operate as separate bodies pending a decision of Member States on the Secretary-General's proposals recommending the merger of the two commissions. It should be stressed that, as mentioned in the Secretary-General's report, the balance in the work of the United Nations International Drug Control Programme (UNDCP) between combating drug trafficking and other components of drug control, including activities aimed at prevention and rehabilitation and the reduction of illicit supply through alternative development, will not be affected (A/51/950, para. 145).

15. The Secretary-General wishes to emphasize that the establishment of the Office for Drug Control and Crime Prevention is essentially a managerial and administrative action. The mandates and programmes of work of the narcotic drugs and crime prevention and criminal justice entities will not be affected. The Secretary-General is committed to implementing those mandates and programmes. At the same time, he is of the view that there are areas which could benefit from joint action and the promotion of synergies. It is for this purpose that the Secretary-General has put in place Secretariat arrangements that provide a common managerial structure.

Actions 9 (a) and (b). United Nations Development Group

16. The Secretary-General appreciates the widespread support which has been given for the establishment of the United Nations Development Group. The establishment of the Group envisages operations that will take place at both the global and the local levels. The Secretary-General wishes to clarify that what is intended as constituting counterpart arrangements refers to actions pursued at the local level which are consistent with common approaches developed at the global level. The corresponding mechanisms to be established at the national level will preserve access arrangements for the constituent members of the Development Group and will enable them to respond more effectively at the country level to the needs and priorities of Governments.

Action 10. The United Nations at the country level

17. With regard to the question of accrediting the Resident Coordinator to the head of Government, it should be stressed that this proposal does not seek to expand the responsibility of the Resident Coordinator into areas not currently covered. Specifically, the Secretary-General is not proposing that the Resident Coordinator should undertake new and additional responsibilities in the political area. The Secretary-General wishes to emphasize that the sole purpose of this action is to enhance the capacity of the Resident Coordinator to provide leadership and coordination in the field in accordance with the relevant resolutions of the General Assembly on the matter. The Secretary-General is keen that the Resident Coordinator be given the necessary status at the country level to better equip him/her to carry out his/her role as leader of the United Nations country team. Accreditation of the Resident Coordinator will be consistent with the provisions of the Convention on the Privileges and Immunities of the United Nations.

Action 11 (a). Burden-sharing arrangements

18. The Secretary-General has invited Member States to consider establishing a new system of core resources consisting of voluntary contributions and negotiated pledges to be made available in multi-year tranches for the financing of United Nations programmes and funds with the objective of ensuring greater reliability and predictability of resources for development activities. In order to facilitate consideration by Member States of this recommendation, he has indicated in action 11 that he will make proposals to Member States on the manner in which this new system would work. Preparation of the necessary proposals has been entrusted to the United Nations Development Group, which will shortly be providing options for the Secretary-General's consideration.

Action 12. United Nations Environment Programme and United Nations Centre for Human Settlements

19. The Secretary-General notes the interest expressed by Member States in his proposals for the strengthening and restructuring of the United Nations Environment Programme (UNEP) and the United Nations Centre for Human Settlements. The Secretary-General is consulting with Governments and the heads of both entities, and will make his recommendations to the General Assembly at its next session.

20. With regard to the suggestion in the report that the operational projects at the country level that have been financed by the Fund of UNEP can now be more appropriately funded by UNDP and other sources (A/51/950, para. 177), this is a suggestion which the Secretary-General would wish to explore further with Member States and seek their views on the matter.

Action 13. Humanitarian affairs

21. The Secretary-General is pleased with the positive response to his decision to establish an Office of the Emergency Relief Coordinator in place of the Department of Humanitarian Affairs. The Secretary-General is also pleased with the support provided by Member States to his view that the new Office should return to the functions originally elaborated in General Assembly resolution 46/182 which are essentially non-operational. The operational functions of the present Department of Humanitarian Affairs will be distributed to the competent operational entities within the United Nations, including its funds and programmes. Discussions have not yet concluded with regard to the disposition of all the operational functions involved, but Member States will be informed once decisions have been taken. With regard to demining activities, that function has been transferred to the Department of Peacekeeping Operations. An Executive Director has been appointed for the Iraq programme which will now operate as a separate entity. In relation to the transfer to UNDP of capacity-building responsibilities, proposals for a contribution to UNDP for this purpose are reflected in document A/52/303. The Secretary-General is confident that the level of operational funding previously provided to these functions will be maintained under the new arrangements.

22. With regard to the question of designating a lead agency at the country level, the criteria to be applied will be worked out by the Emergency Relief

Coordinator in close collaboration and with the support of the Inter-Agency Standing Committee. Member States will be kept fully informed of developments in working out these criteria, which will be applied on a case-by-case basis. It should be noted in this regard that current arrangements whereby resident coordinators normally take the lead in the case of emergencies, whether they are man-made or natural, will continue in place.

Actions 14 and 15. Human rights

23. The World Conference on Human Rights (Vienna Declaration and Programme of Action, section II, para. 17) called for a continuing adaptation of United Nations human rights machinery to the current and future needs in the promotion and protection of human rights. The medium-term plan for the period 1998-2001 (A/51/6/Rev.1 and Corr.1), in paragraph 19.2, provides that the human rights programme is under the responsibility of the United Nations High Commissioner for Human Rights. General Assembly resolution 48/141, establishing the post of High Commissioner, provides that the High Commissioner shall be the United Nations official with principal responsibility for United Nations human rights activities under the direction and authority of the Secretary-General. The establishment of a single office gives structural expression to both.

24. It may be recalled that the Centre for Human Rights, as an organizational unit, was itself established by the Secretary-General in 1982 in response to a request by the General Assembly that he consider redesignating the then Division of Human Rights as a Centre for Human Rights. This decision was taken within the ambit of the Secretary-General's administrative authority under the Charter of the United Nations and that same authority empowers the Secretary-General to make further administrative arrangements necessary to furthering the efficiency of the Secretariat and enabling it to respond to changing circumstances and to the various decisions of the General Assembly. In the present case, the Vienna Declaration, the medium-term plan, the High Commissioner's mandate and efficient use of resources all support a unified Secretariat structure servicing the human rights programme.

25. The functions assigned to the Office of the High Commissioner (see ST/SGB/1997/10) are those set out in the medium-term plan, paragraphs 19.1 to 19.3 as regards the overall responsibilities, and paragraphs 19.4 to 19.9 as regards the particular units. Those responsibilities were also described in the Secretary-General's report on restructuring the Centre for Human Rights (A/C.5/50/71). The medium-term plan and ST/SGB/1997/10 expressly include responsibilities of the High Commissioner provided for in General Assembly resolution 48/141, in particular paragraph 4. There is no contradiction, inconsistency or incompatibility between the responsibilities of the single Office and the mandate of the High Commissioner. The Deputy's responsibility will be to assist the High Commissioner in carrying out her functions as head of department as set forth in ST/SGB/1997/5, section 5, and any other substantive and administrative assignments as decided by the High Commissioner.

26. With regard to the 'cross-cutting' participation of the Office of the High Commissioner in the work of the Executive Committees on Peace and Security, Economic and Social Affairs, Development Operations and Humanitarian Affairs, this measure was taken in lieu of establishing a separate executive committee on

human rights. Had an Executive Committee on Development Operations not been established, for example, the Administrator of UNDP would have been required to participate across the board in the work of the Executive Committees.

Action 17. Civil society

27. The United Nations has substantially expanded its involvement with civil society actors in recent years. This expansion can perhaps be traced to the 1992 United Nations Conference on Environment and Development, where Governments agreed both to new procedures intended to attract wider participation of civil society actors and to new modalities to enable them to contribute to substantive deliberations.

28. As noted in the Secretary-General's report, non-governmental organizations are the clearest manifestation of what is referred to as "civil society", that is, the sphere in which social movements organize themselves around objectives, constituencies and thematic interests (A/51/950, para. 207). The number of non-governmental organizations that now have official status with the United Nations has increased greatly in all three categories of formal relationships: those officially accredited through the Economic and Social Council, whose numbers have expanded from 41 in 1948 to some 900 in 1991 and to 1,829 at present; those which have established official links with the United Nations through accreditation for conference purposes on substantive issues; and those accredited to the United Nations through the process of the Department of Public Information. A fourth category comprises those non-governmental organizations that have official ties and formal working relationships with the United Nations funds and programmes and the specialized agencies, many of which are active at the operational level.

29. The actions outlined in the Secretary-General's report are essentially aimed at augmenting the capacity of the United Nations to organize itself so as to relate more effectively to those non-governmental organizations as a result of their increased involvement with the Organization following intergovernmental initiatives. The Secretary-General proposes no broader opening for civil society and non-governmental organizations in the intergovernmental process and the United Nations system than that already agreed on by Member States themselves. For example, the decision to have all substantive departments designate a non-governmental organization liaison officer is in direct response to the demonstrated need to facilitate more transparent and effective channels of communication. It is also in recognition of the fact that the new non-governmental organizations tend to have an interest in specific issues rather than a general interest in the work of the United Nations. They are consequently, keen to interact directly with the substantive departments.

30. The Secretary-General is building on these experiences to interact with leaders of various civil society sectors more broadly, so as, for example, to enhance their understanding of the United Nations and elicit their support for mandated United Nations activities; to stimulate more extensive teaching on the United Nations; and to encourage more intensive research and training on subjects related to the mission of the United Nations.

31. On the business side, the Secretary-General is concerned that the benefits of globalization are not universally shared; indeed, they are highly concentrated. Accordingly, he plans to enlist the help of the business community to increase the number of developing countries that are recipients of significant amounts of investment flows and have access to international markets.

32. For more routine interactions between the business community and the United Nations, the Secretary-General has recommended to the Administrative Committee on Coordination that it consider establishing an enterprise liaison service as a joint administrative measure. Its mission, structure and funding would parallel those of the existing Non-governmental Liaison Service. As already mentioned in his report, the Secretary-General is in the process of consulting with the Committee on this action, which has not yet been implemented. Once agreement has been reached within the Committee on the modalities for establishing the enterprise liaison service, including financial implications, should there be financial implications, full information will be provided to Member States.

33. With regard to the involvement of non-governmental organizations from developing countries in the work of the United Nations, it may be recalled that it was on the basis of a proposal by the Secretariat that the Economic and Social Council, in its resolution 1996/31, widened access of national non-governmental organizations to the intergovernmental machinery of the United Nations. This proposal was designed to increase the participation of southern non-governmental organizations. It may be further recalled that, at all recent United Nations conferences, the Secretariat has called for the establishment of trust funds to ensure participation of such organizations from the South.

34. With regard to the series of gatherings involving eminent leaders of different sectors of civil society, it should be noted that it is planned to hold these gatherings in various parts of the world. Specifically, it is intended to organize them not only at United Nations Headquarters but also at other major United Nations centres, namely, Geneva, Vienna, Nairobi and the headquarters of the various regional commissions. It should be added that no financial implications for the regular budget are anticipated in respect of such gatherings.

Action 18. Human resources management

35. As indicated in his report, the Secretary-General is establishing a Task Force on Human Resources Management. The Secretary-General confirms that the work of this Task Force will be in the context of relevant resolutions and decisions of the General Assembly. The Secretary-General is convinced, nevertheless, that, within the context of his administrative authority, the time has come to take an in-depth and wide-ranging look at the United Nations approach to human resources management. An important element in this regard is the need to delegate maximum authority and responsibility for human resources management to programme managers on the basis of clear systems and lines of accountability. The Secretary-General will keep Member States informed of progress in the establishment of the Task Force. As in the case of the Task Force on the Reorientation of United Nations Public Information Activities, he will provide Member States with the results of the work of the Task Force, as

well as his own proposals regarding the actions he intends to take in response to the recommendations of the Task Force.

Action 19. One-time training and redeployment programme

36. With regard to the issue of providing up to $15 million from appropriated resources for the establishment of a one-time training and redeployment programme, no additional resources are being requested.

Action 20. Senior appointments

37. The Secretary-General has sought the advice of a balanced range of individual advisers on his senior appointments since he assumed office. At the same time, he will continue to benefit from consultations with Member States on such appointments. He is determined to seek the widest possible spectrum of views to ensure that his appointments are of the highest calibre.

Action 21. Dividend for development and Development Account

38. The enthusiastic response to the Secretary-General's proposal for a "dividend for development" and establishment of a Development Account has been noted with appreciation by the Secretary-General. Further information on this matter is provided in document A/51/950/Add.5. As he indicated recently to the Advisory Committee on Administrative and Budgetary Questions, the Secretary-General believes that operation of the Development Account should be based on the following four criteria:

(a) First, the resources to be released would go to regular budget programmes and not to programmes being undertaken by the United Nations funds and programmes;

(b) Second, the resources would remain in an identifiable account so that they can easily be kept track of;

(c) Third, the decision on the utilization of the resources would be entirely in the hands of Member States although the Secretariat would make suggestions as to their use;

(d) Fourth, the "dividend for development" would underwrite new and topical activities rather than activities of a longer-term character.

The Secretary-General wishes to point out that it is his intention to utilize existing Secretariat structures in implementing this measure.

Actions 25 and 26. Procurement and human resource management processes, and common services

39. With regard to actions 25 and 26, the Secretary-General takes this opportunity to confirm that he will proceed in the implementation of his actions taking full account of existing legislative mandates. With respect to the establishment of common services, it should be emphasized that the purpose is to save on administrative costs in the interest of making additional resources

available for substantive projects and programmes. The Secretary-General will continue to keep Member States informed of progress in the implementation of his actions.

Action 27. Electronic United Nations

40. The benefits of electronic dissemination of information must be widely spread among Member States, including at the level of missions at United Nations Headquarters, Geneva, Vienna, Nairobi, at the regional commissions and the country level. The Secretariat, as well as the funds and programmes, particularly UNDP, will continue to work closely with Member States to ensure that wide access is assured. In particular, the Secretariat has been cooperating closely towards this end with the Ad Hoc Open-ended Working Group on Informatics of the Economic and Social Council and will continue to do so. The Secretary-General looks forward to the report of the Working Group. The Secretary-General will fully take into account the needs of developing countries and ensure that United Nations documents will be accessible also in cases where electronic communication is not available.

Action 29. United Nations University, research institutes and related bodies

41. The Secretary-General has indicated in his report that there is a need to ensure that overlap and duplication of efforts among research institutes do not occur. It is for this reason that the Secretary-General intends to initiate a comprehensive review of the functioning of the research institutes. This review would include an examination of the possibility of the United Nations University playing a stronger coordinating role in this area.

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UNITED NATIONS REFORM: MEASURES AND PROPOSALS

Letter dated 10 November 1997 from the Secretary-General to the President of the General Assembly

I have the honour to transmit to you herewith the statement I delivered on 4 November 1997 to the open-ended informal consultations of the plenary on agenda item 157.

I should be grateful if you would have the statement circulated as a document of the General Assembly, under agenda item 157.

(Signed) Kofi ANNAN
Secretary-General

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SECRETARY-GENERAL'S STATEMENT TO THE OPEN-ENDED INFORMAL CONSULTATIONS OF THE PLENARY ON AGENDA ITEM 157

(United Nations reform: measures and proposals)

Tuesday, 4 November 1997

I am pleased to be here today to join these open-ended informal consultations as you approach closure on the first step of your important task. Member States have been discussing my report "Renewing the United Nations: a programme for reform" [A/51/950] for some six weeks now. Once these consultations began, my representatives kept me informed on a daily basis of the course of your deliberations. Under my direction, they have responded in detail and at length to the many comments you have made and queries you have raised about various aspects of the report, in particular with regard to the actions being undertaken under my responsibility.

In addition, the Secretariat has now issued five conference room papers in order to provide further information on the actions and recommendations contained in the report. The answers provided by the Secretariat together with the conference room papers constitute elaborations of my measures and proposals and should be considered together with the report.

I welcome the interest that Member States have shown in reviewing the various sections of the report. It is understandable that there has been a wish to obtain amplification on actions and recommendations that are varied and, in some cases, novel and complex. I trust, however, that after weeks of detailed discussions, Member States are now ready to proceed to effective decisions.

Let us remember that the report before you has its origin in the widespread call for reform that was repeatedly echoed by Heads of State or Government at the time of the fiftieth anniversary of our Organization. In presenting my proposals, I sought to respond to that call while taking full account of previous studies and recommendations as well as the developments of the last two years, including the work of General Assembly working groups and the discussions I have had with the President of the Assembly as well.

It is also worth recalling that my report was presented on 16 July of this year, some three and a half months ago. Since that time, Member States have had amply opportunity to review it in capitals and at missions here in New York. I was encouraged by the very strong positive response given to the report in the general debate of the General Assembly at its current session. There appeared to be broad support for the thrust of my report and the directions outlined therein. In summing up the general debate, the President of the Assembly hailed a major change in perception and attitudes since the fiftieth anniversary session. He reminded us that the United Nations was then under a barrage of harsh and often destructive criticism and pointed out that it was very important not to lose momentum and to translate the high level of political will and commitment demonstrated during the general debate into prompt concrete actions.

That is the challenge facing us today. The question is a simple one: Can the United Nations reform itself? As Secretary-General I do not pretend that I have all the answers to all the problems faced by this Organization. The transformation of the Organization into an institution that is well prepared for the challenges of the twenty-first century is a shared responsibility of the Secretary-General and Member States. And, ultimately, the answer to the question as to whether the United Nations can reform itself must be given by the Member States themselves.

Let us bear in mind that the expectations of international public opinion are high that the United Nations will prove equal to the imperative of reform. In asking that my reform proposals be considered under a new agenda item of the General Assembly and that they be addressed as an interrelated whole I did not do so with the expectation that Member States would approve them without adequate consideration. I fully expected that some of the recommendations would need to be further elaborated and clarified. I recognized too that others might need to be referred to specialized bodies for further consideration. At the same time, I was sufficiently encouraged by the statements in the general debate and the discussions I had with your Heads of State and Government and Foreign Ministers here in New York a number of weeks ago to feel that the bulk of my proposals commanded the support of the membership as a whole.

If there is a need for still further elaboration, we shall provide it. The most recent conference room papers are on the dividend for development and the revolving credit fund. We are prepared to submit additional conference room papers were they to be required. My representatives are also ready to provide Member States with further responses to comments and queries. Having said that, I nevertheless very much hope that this forum will find a way to balance appropriately any remaining desire for more information with the equally important need to take substantive decisions without undue delay.

Let me turn to the 29 actions that I have described in my report. I am undertaking these actions in order to improve the managerial capacity and operational responsiveness of the Secretariat so as to better serve Member States. These actions are directly relevant to my task of managing the Secretariat, and expeditious treatment of them is essential if the momentum of reform is to be sustained. While the actions are within my authority as chief administrative officer, I am, of course, mindful of, and have full respect for, the guidelines laid down by the Medium-term Plan for the period 1998-2001 [A/51/6/Rev.1 and Rev.1/Corr.1], existing legislation on the programmatic content of the work of the substantive entities and the Financial Regulations and Rules of the Organization. These considerations apply to all of my actions. I would note specifically that they apply to my actions on human rights and civil society, where Member States have indicated a number of concerns.

Those aspects of the actions that have budgetary implications have been submitted to the appropriate intergovernmental bodies for their review. In a few cases, the actions have related programmatic implications and these have been reflected in the recommendations that are before Member States for their consideration.

These informal consultations have also been helpful in indicating certain instances where it would be useful to refine our approach during the course of implementation. I shall take full account of the comments made by delegations in this respect and, in particular, the views expressed by the Group of 77 and the Movement of Non-Aligned Countries.

There are some issues on which I believe it would be useful to provide some additional information here today. The first is on my proposal to establish the position of a Deputy Secretary-General. Let me make it clear that it is my intention that the Deputy Secretary-General will be an integral part of my own office and will exercise only such responsibilities and functions as are derived from my own authority and as delegated by me from time to time. In proposing a Deputy Secretary-General, my purpose is to be able to benefit from the support of an official with the rank, stature and capabilities needed to help me to discharge more fully and effectively the responsibilities of my office and not to create another separate layer of decision-making. Thus, I do not plan to create a new structure that would separate me from the senior officials who now report to me; rather I am seeking to facilitate and strengthen my relationship with them and my ability to exercise effective oversight and direction of the Organization through them.

As you will appreciate, my own priorities and the demands upon me will, by the nature of my duties, vary from time to time. I want to be free to utilize the services of the Deputy Secretary-General in a manner that will be most helpful and valuable to me in the exercise of my responsibilities. This is the reason that I chose not to delegate a particular segment of my responsibilities to the Deputy Secretary-General on an ongoing basis. An important example of my reasoning in this respect is my determination to give highest priority to revitalizing the United Nations role in development. Some delegations have suggested that this might best be done by entrusting the Deputy Secretary-General with delegated responsibility for development. But I do not want, nor do I intend, to divest myself of primary responsibility for development, and rather will ask the Deputy Secretary-General as one of her main functions to support and assist me in giving development the primacy of the attention it deserves.

It is because I view the Deputy Secretary-General as an integral part of my own office that I seek the right to make the appointment for a period that would not extend beyond my own term of office.

The second issue I would like to single out is that of disarmament. Disarmament is the only subject that is being dealt with in all three categories of consideration, namely, actions being undertaken under my authority; matters having budgetary implications; and recommendations to Member States. It is clearly a subject of great interest to all Member States, touching as it does on fundamental questions of international peace and security and national sovereignty.

It was in recognition of your interest that the conference room paper on disarmament was one of the first to be produced. I intend to reissue it, along with the other conference room papers, as official addenda to my July report so that they may be given the appropriate status [see A/51/950/Add.1-5]. I have

also decided, in accordance with the earlier recommendation of the General Assembly, to name the new department the "Department of Disarmament Affairs".

On the subject of human rights, my actions in this area have been guided by the principles embodied in the Vienna Declaration and Programme of Action adopted unanimously at the World Conference on Human Rights. The Declaration recognizes that democracy, development and respect for human rights are interdependent and mutually reinforcing. It calls on all the relevant parts of the Organization and the United Nations system to assess the impact of their strategies and policies on the enjoyment of all human rights. The participation of the United Nations High Commissioner for Human Rights in all relevant executive committees will serve to advance those principles and goals. It will also help promote the full enjoyment of all human rights, including the right to development, as a universal and inalienable right and an integral part of fundamental human rights.

Several delegations have asked for clarification on the accreditation of the resident coordinator. My objective is to have effective collaboration among United Nations entities in relation to operational activities for development. That objective would be well served by having one official of a higher status than the others who could present the customary letter of introduction from the Secretary-General to the Head of Government. I believe that this action is consistent with the expressed desire of Member States to enhance the leadership position of the resident coordinator, but the decision on whether to grant the proposed level of accreditation would remain with individual Member States.

Mr. President, I have welcomed this opportunity to appear here today. I know that you have been guiding these deliberations with your customary skill and determination. You, Sir, are helping to make this the "Reform Assembly". I have no doubt that, with your leadership, the General Assembly will soon be in a position to take action on this agenda item. I wish you and the delegations engaged in these consultations success as you continue with your historic mission.

United Nations A/52/586

General Assembly

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Fifty-second session
Agenda item 20 (e)
Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance: participation of volunteers, "White Helmets", in activities of the United Nations in the field of humanitarian relief, rehabilitation and technical cooperation for development

The "White Helmets" initiative

Report of the Secretary-General

I. Introduction

1. The General Assembly, in its resolutions 49/139 B of 20 December 1994 and 50/19 of 28 November 1995, called on the United Nations Volunteers (UNV), a programme administered by the United Nations Development Programme (UNDP) and the Department of Humanitarian Affairs, together with the entire United Nations system, to encourage the use of the expertise available through the "White Helmets" initiative. Such expertise, which is provided on a stand-by team basis from various national volunteer corps, is to support activities in humanitarian emergency assistance and in the transition from relief to rehabilitation, reconstruction and longer-term development.

2. In resolution 50/19, the General Assembly requested the Secretary-General to report to it at its fifty-second session on the technical, institutional and financial viability of the White Helmets initiative. The present report has been prepared pursuant to that request.

II. Background

3. As the originator of the White Helmets initiative, the Government of Argentina established the Comisión de Lucha Contra el Hambre y la Pobreza [Commission to Combat Hunger and Poverty] in 1993, which was transformed into the Comisión Cascos Blancos [White Helmets Commission]. The Commission and UNV have collaborated closely in the elaboration of the White Helmets initiative and in developing a workable model within the framework envisaged by the General Assembly in resolution 49/139 B. As the operational arm, the UNV programme has brought to bear its 25 years of experience, its volunteer recruitment network and its support mechanism to ensure the effective implementation of the initiative.

4. In the relatively brief period since its establishment, the White Helmets initiative has developed into a valuable and cost-effective mechanism to support the operational capacity of the United Nations system. Thus far, 40 countries have established national focal points on White Helmets. The initiative has enhanced opportunities for creative

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programme design, formulation and implementation, which have enabled planners to better tailor responses to meet the specific needs of different country situations. Projects have been carried out in some 15 countries throughout Africa, Latin America and Eastern Europe, ranging from disaster relief in Lebanon and Peru, support for demobilization and demining in Angola and sanitation and education services in Equatorial Guinea and Paraguay.

5. UNV and the White Helmets initiative have encouraged the use of volunteer teams in roles that go beyond the early stages of emergency response. The teams are deployed in response to requests from individual Governments for assistance and are organized to complement ongoing efforts and activities. The White Helmet teams are often linked to national non-governmental organizations, community-based organizations and other civil society organizations in order to facilitate a participatory approach and to increase local capacity.

6. Furthermore, within the context of capacity-building, the UNV programme has introduced a national UNV scheme in a majority of White Helmet initiative interventions, deploying combined teams of international and UNV/White Helmet volunteers. The purpose is to develop the capacity of the White Helmets Commission and other participating national volunteer corps to work in concert with the United Nations system in the areas of humanitarian relief, rehabilitation and development.

III. Experience gained

7. United Nations operations in humanitarian emergencies have intensified in recent years. Activities now undertaken extend beyond immediate relief and often include such areas as restoration of infrastructure and social services, conflict prevention and resolution, human rights monitoring, electoral processes and administration and management. In this connection, White Helmet resources can complement and strengthen United Nations humanitarian activities in a given country. Experience has shown that an added value of the White Helmets initiative is its capability to offer qualified human resources as part of trained and integrated teams.

8. In collaboration with United Nations entities such as the United Nations Development Programme (UNDP), the Department of Humanitarian Affairs, the Office of the United Nations High Commissioner for Refugees (UNHCR), the World Food Programme (WFP) and the Food and Agriculture Organization of the United Nations (FAO), UNV and the White Helmets Commission have undertaken a diverse range of activities utilizing teams of national and international volunteers. The examples below summarize activities undertaken to date:

(a) *Angola*. At the present time, a project is under way, in collaboration with the Humanitarian Aid Coordination Unit of the Department of Humanitarian Affairs, to help strengthen the demobilization programme. White Helmet teams are deployed to support the demobilization of war disabled and under-age soldiers and the dependants of military personnel within the quartering areas. The White Helmets also support efforts to ensure that family groups settled in the vicinity of the quartering areas will receive food, health care and water assistance, as well as basic assistance for temporary accommodation;

(b) *Argentina*. A regional development feasibility study on improved water use and management was undertaken jointly with UNV and Israeli volunteers;

(c) *Armenia*. A team of UNV and White Helmets participated as electoral monitors in the joint United Nations/Organization for Security and Cooperation in Europe (OSCE) observer mission in July 1995. Following an assessment mission to the Goris region in December 1995, a full-scale urban self-sustainable food production project, consisting of international and national UNVs and White Helmets commenced in April 1996, in time for the growing season. The success of the project has led to additional related programme opportunities, with the participation of WFP and international non-governmental organizations, which extend into other regions of the country;

(d) *Bolivia*. In collaboration with UNDP, WFP and the Ministry of Health, a project in support of the Southern Cone initiative for the elimination of triatoma infestation from dwellings and control of transfusional disease was completed in June 1997;

(e) *Haiti*. In collaboration with WFP and local authorities, two teams composed of national and international UNVs and White Helmets have developed a commodity tracking system to improve the efficiency and effectiveness of food aid distribution in Haiti. The outputs produced included enhanced methods and practices for the delivery of food aid from ports of entry through distribution systems to an increased number of delivery points, as well as strengthened national capacity for receiving, handling, distributing and tracking food aid. With funding from Argentina and France, and in collaboration with UNDP and the French non-governmental organization Inter Aide, the White Helmets are also participating in a rural potable water system project, which aims to provide water to inhabitants

in selected rural areas, as well as related primary health care and social services, in order to address issues of hygiene and sanitation among the target population;

(f) *Jamaica*. A project relating to medical equipment in public hospitals was completed in early 1996. It assisted the Government of Jamaica in strengthening the capacity of its medical technicians to implement an emergency repair and preventive maintenance through a component of on-the-job training;

(g) *Lebanon*. In response to the consolidated inter-agency flash appeal of April 1996 for humanitarian needs in Lebanon, logistical assistance was provided in connection with Argentina's contribution of food, medicines and other humanitarian relief materials;

(h) *Paraguay*. A multisectoral project to strengthen nutrition, public health, water and sanitation and vaccination programmes was launched in July 1997 in the Alto Vera district to assist indigenous peoples. The project is being implemented through a participatory approach involving national and international UNVs and White Helmets, US Peace Corps volunteers, non-governmental organizations and municipal governments;

(i) *Palestinian Occupied Territories*. Based on a needs assessment mission, a two-phased project providing support to the City Planning Department of the Municipality of Gaza was launched in June 1995, with volunteers assisting in urban land use planning, water and sewerage facilities, traffic engineering and system automation for planning Gaza City. The project also aims at strengthening the institutional capacity of the Municipality and upgrading the skills of national counterparts. In March 1997, a project was launched aimed at developing and providing support to the sports sector in Gaza and the West Bank. The project utilizes sports as a vehicle for the social development of Palestinian youth. A team of UNVs and White Helmets are working with local youth and community clubs at the grass-roots level to encourage participation in sports. In collaboration with UNV, UNDP and WHO, a large-scale programme supporting brucellosis control and eradication has been launched. Funding for this undertaking is being provided through contributions from the Governments of Argentina, Japan and Spain and will include teams of UNV and White Helmets.

9. In addition to the above-mentioned joint UNV/White Helmet projects, the White Helmets Commission of Argentina has directly supported the following activities:

(a) *Angola (rural demining)*. A project sponsored jointly by the Department of Humanitarian Affairs, Argentina and Italy and executed by the United Nations Office for Project Services commenced in August 1997. The project provides technical assistance in demining through two White Helmet specialists from Argentina and two demining supervisors from Italy. Arrangements have also been concluded recently for the provision of two further demining supervisors;

(b) *Costa Rica/Nicaragua (natural disaster relief)*. The White Helmets Commission provided emergency assistance to the people of Costa Rica and Nicaragua in response to an appeal from the United nations and with the support of the UNDP country offices. Both countries, which had been struck by Hurricane Caesar, benefited from the contribution of food aid, medicines, generators and tools to rebuild damaged infrastructure. A project to provide sanitation systems is being considered as a follow-up activity;

(c) *Ecuador (natural disaster relief)*. Local authorities were provided with humanitarian assistance, through the White Helmets Commission, to the victims (15,000 inhabitants) of the earthquake that hit the province of Cotopaxi in 1996;

(d) *Equatorial Guinea (education)*. Assistance to the education sector was provided through technical assistance in curriculum development, training of educators in modern teaching methodologies and the in-kind contribution of training materials;

(e) *Peru (natural disaster relief)*. An emergency assistance mission was undertaken by the White Helmets Commission in response to an appeal for assistance from the Government of Peru following the damage caused by the Nazca earthquake in November 1996. Humanitarian assistance provided included blankets, temporary shelters, water-purification tablets and other relief items. A follow-up project to reconstruct infrastructure is in preparation;

(f) *Rwanda (emergency relief)*. In response to the United Nations consolidated inter-agency appeal of January 1997, an emergency airlift of humanitarian relief items was undertaken by the White Helmets Commission in cooperation with UNHCR and UNDP.

IV. Financing

10. As stipulated in General Assembly resolution 49/139 B, UNV has established a separate account, or a special window, within its Special Voluntary Fund to receive and administer funds for UNV/White Helmet activities. To date a total of $2,441,915 has been received (of which

$2,331,915 has been committed and approximately $1.5 million expended) from the Governments of Argentina, France and Germany. Several Governments have provided human resources and a number of others have expressed interest in providing cash contributions. Furthermore, in response to further needs and requests, UNV, in collaboration with the White Helmets Commission, is currently finalizing projects that will require additional funding of approximately $2 million. Additionally, the Governments of Argentina, Italy and Saudi Arabia have directly financed several other White Helmet activities through the Commission.

11. The viability of the White Helmets initiative and the sustainability of its achievements to date are ultimately predicated on the availability of additional funds for future activities. It should be noted, in this connection, that funds can be contributed either by the public sector, Member States or international organizations, directly or through the consolidated inter-agency appeal process, or by the private sector, through individual or institutional donations.

V. Institutional arrangements

12. All UNV/White Helmet projects are implemented within the framework of humanitarian assistance and development programmes of United Nations agencies and non-governmental organizations, or in support of coordination activities of the Department of Humanitarian Affairs. With regard to the institutional framework created for the White Helmets initiative, various national White Helmet corps operate in partnership with the UNV programme in response to country-specific assistance priorities.

13. The UNV programme maintains a roster of several thousand candidates from major occupational groups subdivided into professional categories and takes into account additional elements such as nationality, gender and language skills.

14. Volunteers selected to participate in White Helmet activities serve under the same conditions of service, rules and regulations as other UNV programme staff.

15. In the performance of their duties, volunteers come under the overall administrative supervision of the United Nations resident coordinator in the country of assignment.

16. UNV, working through the UNV programme officer assigned to the UNDP country office, provides the required field support and management of UNV/White Helmet volunteers. Substantive technical backstopping, including work planning and implementation, continues to be provided by the United Nations organizations concerned or host national institutions to which White Helmet volunteers are assigned.

17. In its resolutions 49/139 B and 50/19, the General Assembly recommended the development and strengthening of linkages with national entities. In that context several UNV/White Helmet projects have endeavoured to mobilize existing local expertise through the recruitment of national teams of volunteers. In a number of instances (Angola, Armenia, Haiti and Paraguay), the projects were able to build on the experiences of local non-governmental, community-based and other civil society organizations. National capacities for volunteer service continue to be promoted and strengthened for use on a national and regional basis.

VI. Concluding observations

18. Through a broad range of programmes, the White Helmets initiative has proved to be an increasingly valuable mechanism in facilitating the identification and recruitment of skilled and integrated volunteer teams in support of activities of the United Nations system. It has, within a short period of time, developed from an idea into a functioning capacity in support of international assistance and mobilization efforts throughout the world. The initiative brings a wide range of expertise into areas stricken by disasters and crises throughout the world. It allows those resources to be organized according to requirements in each country setting, while providing a critical link to building local capacity. This capacity may in turn be drawn upon for crises elsewhere.

19. Member States are encouraged to examine opportunities for further application of this mechanism and to offer suitably qualified candidates with a view to strengthening further the human resource base of the UNV/White Helmets programme.

20. For the programme to be able to continue its efforts and reinforce its achievements, however, additional funds will be required. It is hoped, therefore, that contributions to the special window of the Special Voluntary Fund will be forthcoming from both Governments and private sources.

21. The potential contribution of the UNV/White Helmets to preventive action, in particular in the humanitarian and development field as well as in the context of peace-building efforts following a conflict, deserves to be explored further. There is a need to build upon this unique and cost-effective mechanism.

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Fifty-second session
Agenda item 112 (c)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

Situation of human rights in Myanmar

Report of the Secretary-General

I. INTRODUCTION

1. The present report is submitted pursuant to General Assembly resolution 51/117 of 12 December 1996, entitled "Situation of human rights in Myanmar", in which the Assembly requested me to continue my discussions with the Government of Myanmar in order to assist in the implementation of the resolution and in its efforts for national reconciliation, and to report to the Assembly at its fifty-second session and to the Commission on Human Rights at its fifty-third session.

2. As I have indicated in previous reports, I consider the role entrusted to me by the General Assembly, and reaffirmed by the Commission on Human Rights, as being essentially one of good offices, in contrast to the fact-finding mandate assigned by the Commission to the Special Rapporteur.

3. Following the adoption of resolution 51/117, the Permanent Representative of Myanmar to the United Nations was asked in January 1997 to convey to his Government a proposal that the Director of the East Asia and the Pacific Division, Mr. Francesc Vendrell, undertake a visit to Myanmar as part of his routine consultations with the countries of the region, and to lay the groundwork for a subsequent visit to Yangon by my Envoy. During the visit, which took place from 17 to 21 February, Mr. Vendrell held consultations with the Minister for Foreign Affairs, U Ohn Gyaw, the Minister for Progress of Border Areas and National Races and Development Affairs, Lt.-Gen. Maung Thint, the Minister for Cooperatives and General Secretary of the Union Solidarity and Development Association (USDA), U Ko Lay, the Chief Justice and Chairman of the

Work Committee of the National Convention Convening Committee, U Aung Toe and other authorities. He also held consultations with leaders of political parties, namely, the National League for Democracy (NLD), including its General Secretary, Daw Aung San Suu Kyi, the National Unity Party (NUP) and the Shan Nationalities League for Democracy (SNLD).

4. During his stay, Mr. Vendrell raised with the Myanmar authorities the desirability of more regular visits to Myanmar by my representatives under formulae that would enable them to meet with any political leader they considered appropriate, thus obviating the contentiousness that such visits had provoked in the past and which had kept my representatives from going to Myanmar in the course of 1996.

5. The visit paved the way for a subsequent one from 7 to 10 May 1997 by my Envoy, Mr. Alvaro de Soto, Assistant Secretary-General for Political Affairs. In Yangon he held consultations with Secretary-1 of the State Law and Order Restoration Council, Lt.-Gen. Khin Nyunt, Foreign Minister U Ohn Gyaw and Chief Justice U Aung Toe, as well as with other authorities from various ministries and services. Subsequently he held meetings with leaders of political parties, namely, the NLD, including its General Secretary Daw Aung San Suu Kyi, the NUP and the SNLD.

6. I myself had the opportunity of discussing the situation in Myanmar with Foreign Minister U Ohn Gyaw when I received him on 27 June on the occasion of the special session of the General Assembly on Agenda 21. Subsequent to that meeting, a further round of talks took place in New York on 1 October between the Minister for Foreign Affairs and my Envoy.

II. DISCUSSIONS WITH THE GOVERNMENT OF MYANMAR

7. The discussions that my representatives and I held with the Minister for Foreign Affairs and other Myanmar authorities covered the main issues repeatedly stressed by the General Assembly, in particular the holding of a substantive political dialogue between the Government and Daw Aung San Suu Kyi and other political leaders and representatives of ethnic groups; the composition and timing of the proceedings in the National Convention; the situation of the Karens and other ethnic groups; restrictions on the normal functioning of political parties, the NLD in particular, and other political freedoms; access by the International Committee of the Red Cross to prisons and other places of detention; and the desirability of an early visit by the Special Rapporteur so that he would be in a position to provide the General Assembly with objective, first-hand information about the human rights situation in the country.

8. On the question of opening a substantive political dialogue with the NLD and Daw Aung San Suu Kyi, the Myanmar authorities reiterated their position that such a dialogue was only possible within the framework of the National Convention from which the NLD had withdrawn and subsequently been expelled, and that the State Law and Order Restoration Council accorded greater priority to talks with the national races and the resolution of the various insurgencies that had plagued the country since independence. At the meeting in October with my Envoy, the Foreign Minister reported that Secretary-1 had met in July with

the Chairman of the NLD, U Aung Shwe, and two members of its Central Executive Committee. Another meeting with U Aung Shwe had been proposed in September but did not take place because the NLD considered that its Chairman should be accompanied by Daw Aung San Suu Kyi in her capacity as General Secretary of the party, something the Government could not agree to because it did not recognize her position within the NLD. The NLD, which continues to report incidents of harassment, arrests and imprisonment of its members, has reiterated its willingness to engage in a political dialogue without preconditions, but has declared that, in accordance with the principles laid down by the NLD's elected representatives and organizational committees, party matters must be handled jointly by the Chairman and the General Secretary. Neither the Government nor the NLD considers that the contacts to date between them amount to the start of a political dialogue. The Minister suggested in October that contacts with the NLD might be held in stages, leaving open the possibility that they might lead to discussions on substantive matters. More recently, the NLD was able at the end of September to hold a party congress, reportedly attended by 700 participants, the Foreign Minister stating that party gatherings could be held as long as permission was given and that the gatherings took place in accordance with Myanmar laws. There have, however, been reports of continued restrictions on the functioning of the NLD on previous and subsequent occasions.

9. Regarding the National Convention, the Myanmar authorities explained that it had not met since March 1996 because the constitutional chapter to be considered next dealt with the key issue of power-sharing between the central Government and the states, divisions and future self-administered areas and zones. This required extensive discussions and a consensus with the national races needed to be built. (Representatives of political parties and national races, though, said that they were not aware of such discussions taking place.) There continued to be, however, frequent meetings of the National Convention Convening Committee. The Foreign Minister was thus not in a position to give a time-frame for the resumption of the Convention, but reiterated that the Government's goal was the establishment of a constitutional and multi-party system. Inquiries revealed no indication by the authorities that they might be considering changes in the composition and procedures of the National Convention to make them more representative and transparent.

10. According to the Foreign Minister, the Government had obtained assurances from the insurgent groups that had "come into the legal fold" that they would give up their arms once the constitution was in place. While the armed groups that had returned to the legal fold earlier were taking part in the National Convention, those which had joined later participated as observers. As regards the Karen National Union (KNU), the Government had held four rounds of talks with them, but they had not agreed to lay down their arms, a situation the Government attributed to the existence of splits within their ranks and the influence of outside powers. The KNU, for its part, considers that the failure of the talks has been due to the Government's refusal to discuss issues of a political nature.

11. The Government reiterated that the door remained open for further discussions with the International Committee of the Red Cross, but that laws dating back to colonial days prevented the Government from accepting the

International Committee's conditions regarding access to prisoners and detainees.

12. The Government has responded to my own repeated requests and those of my representatives that the Special Rapporteur be allowed to visit Myanmar by saying that, since the latter's predecessor had submitted reports that did not reflect the real situation in the country, it had become necessary in the national interest to exercise considerable restraint but that a visit might take place at an appropriate time.

13. The Government reaffirmed its desire for continued dialogue with the United Nations, although in its view, this need not necessarily involve visits to Myanmar by my representatives. Prior to the submission of the present report there had been no reply to my Envoy's request that he visit Yangon in October.

III. CONCLUDING OBSERVATIONS

14. I was gratified by the visits to Myanmar in the first half of 1997 by my Envoy and the Director of the East Asia and the Pacific Division, since I regard it as essential that my representatives meet regularly with the highest authorities in the State Law and Order Restoration Council, as well as with leaders of other relevant political forces. I regret that it has not been possible so far to arrange a visit in the second half of 1997. I welcome the contacts between the Government and the NLD as an initial step, which I earnestly hope will be the harbinger of a genuine political dialogue with the party that won the majority of votes at the last general election and which, together with the involvement of the national races, I consider essential for the achievement of the twin goals of democratization and national reconciliation. I also take positive note of the fact that the NLD was recently able to hold a party congress and hope that the same tolerance will be shown towards other NLD events and to its members on future occasions. At the same time, I cannot hide my disappointment that I am not in a position to report further progress as regards the areas regarding which the General Assembly and the Commission on Human Rights have for several years expressed concern. I wish to conclude by reaffirming my commitment to continue the dialogue with the Government and other political forces of Myanmar in pursuit of the goals set forth by the membership of the Assembly.

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Fifty-second session
Agenda items 39, 99 and 100

OCEANS AND THE LAW OF THE SEA

OPERATIONAL ACTIVITIES FOR DEVELOPMENT

TRAINING AND RESEARCH: UNITED NATIONS INSTITUTE FOR TRAINING AND RESEARCH

Letter dated 11 November 1997 from the Chargé d'affaires a.i. of the Permanent Mission of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to draw your attention to the enclosed document which reflects the position of the Islamic Republic of Iran concerning the exploitation of the resources of the Caspian Sea (see annex).

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the General Assembly under agenda items 39, 99 and 100.

(Signed) Majid TAKHT-RAVANCHI
Ambassador
Chargé d'affaires a.i.

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ANNEX

Declaration expressing the position of the Islamic Republic of Iran on the exploitation of the resources of the Caspian Sea

As has been officially announced by the Government of the Republic of Azerbaijan, extraction and exploitation of oil from the Cheragh reservoir of the Caspian Sea is due to be commenced in a ceremony on 12 November 1997.

Whereas the mineral resources in the seabed and the subsoil of the Caspian Sea, surrounded by Azerbaijan, the Islamic Republic of Iran, Kazakhstan, the Russian Federation and Turkmenistan, belong to its coastal States,

Considering the special and unique character of the Caspian Sea, the Ministers for Foreign Affairs of the five coastal States of the Caspian Sea agreed in their meeting on 12 November 1996 in Ashgabat, that the complementation of the legal regime of the Caspian Sea, following the dismemberment of the USSR, can only occur through the unanimous decision of the five coastal States,

Considering further that the unilateral claim and exploitation of the resources of the Caspian Sea violate its existing legal regime, as defined in the Treaty of Amity concluded between Iran and Russia on 16 February 1921, and the Iran-USSR Commerce and Navigation Agreement of 25 March 1940 and the letters annexed thereto as well as the Ashgabat Declaration,

Therefore, the Islamic Republic of Iran strongly objects to the unilateral measures adopted by the Republic of Azerbaijan and emphasizes that any action taken in this respect contravenes the above-cited agreements, which are binding on the Republic of Azerbaijan, as a successor of the USSR, in accordance with the customary norms of international law and the Alma Ata Declaration of 21 December 1991. Such measures and actions adopted, without the consent of the coastal States, bear no legal value and, as such, do not establish a basis for any right or claim. Moreover, the full responsibility for consequences of such illegal measures and actions, including damages caused to other coastal States, rests with the States violating the legal regime of the Caspian Sea. The Islamic Republic of Iran reserves its right to take appropriate action in future to secure its legitimate rights in the Caspian Sea.

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STRENGTHENING OF THE COORDINATION OF HUMANITARIAN AND DISASTER RELIEF ASSISTANCE OF THE UNITED NATIONS, INCLUDING SPECIAL ECONOMIC ASSISTANCE
LAUNCHING OF GLOBAL NEGOTIATIONS ON INTERNATIONAL ECONOMIC COOPERATION FOR DEVELOPMENT
COMPREHENSIVE NUCLEAR-TEST-BAN TREATY
GENERAL AND COMPLETE DISARMAMENT
MAINTENANCE OF INTERNATIONAL SECURITY
COMPREHENSIVE REVIEW OF THE WHOLE QUESTION OF PEACEKEEPING OPERATIONS IN ALL THEIR ASPECTS
MACROECONOMIC POLICY QUESTIONS
ENVIRONMENT AND SUSTAINABLE DEVELOPMENT
CRIME PREVENTION AND CRIMINAL JUSTICE
HUMAN RIGHTS QUESTIONS
IMPROVING THE FINANCIAL SITUATION OF THE UNITED NATIONS
MEASURES TO ELIMINATE INTERNATIONAL TERRORISM
UNITED NATIONS REFORM: MEASURES AND PROPOSALS

SECURITY COUNCIL
Fifty-second year

Letter dated 11 November 1997 from the Permanent Representatives of China and the United States of America to the United Nations addressed to the Secretary-General

We have the honour to transmit herewith the text of a joint statement of the United States of America and China, issued in Washington, D.C., on 29 October 1997 during the state visit of the President of the People's Republic of China to the United States of America (see annex).

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We should be grateful if you would have the text of the present letter and its annex circulated as a document of the General Assembly, under agenda items 20, 56, 64, 71, 81, 88, 95, 98, 103, 112, 117, 152 and 157, and of the Security Council.

(Signed) Bill RICHARDSON
Ambassador
Extraordinary and Plenipotentiary
Permanent Representative of
the United States of America
to the United Nations

(Signed) QIN Huasun
Ambassador
Extraordinary and Plenipotentiary
Permanent Representative of
the People's Republic of China
to the United Nations

ANNEX

Joint statement of China and the United States of America issued on 29 October 1997

At the invitation of President William J. Clinton of the United States of America, President Jiang Zemin of the People's Republic of China is paying a state visit to the United States from 26 October to 3 November 1997. This is the first state visit by the President of China to the United States in 12 years. President Jiang held formal talks with President Clinton in Washington, D.C., and also met with Vice-President Al Gore, Congressional leaders and other American leaders. Talks also were held between Vice-Premier and Foreign Minister Qian Qichen and Secretary of State Madeleine Albright.

The two Presidents had an in-depth and productive exchange of views on the international situation, China-United States relations and the important opportunities and challenges facing the two countries. They agree that a sound and stable relationship between China and the United States serves the fundamental interests of both the Chinese and American peoples and is important to fulfilling their common responsibility to work for peace and prosperity in the twenty-first century.

They agree that while China and the United States have areas of both agreement and disagreement, they have a significant common interest and a firm common will to seize opportunities and meet challenges cooperatively, with candour and a determination to achieve concrete progress. China and the United States have major differences on the question of human rights. At the same time, they also have great potential for cooperation in maintaining global and regional peace and stability; promoting world economic growth; preventing the proliferation of weapons of mass destruction; advancing Asia-Pacific regional cooperation; combating narcotics-trafficking, international organized crime and terrorism; strengthening bilateral exchanges and cooperation in economic development, trade, law, environmental protection, energy, science and technology and education and culture, as well as engaging in military exchanges.

The two Presidents are determined to build towards a constructive strategic partnership between China and the United States through increasing cooperation to meet international challenges and promote peace and development in the world. To achieve this goal, they agree to approach China-United States relations from a long-term perspective on the basis of the principles of the three China-United States joint communiqués.

China stresses that the Taiwan question is the most important and sensitive central question in China-United States relations, and that the proper handling of this question in strict compliance with the principles set forth in the three China-United States joint communiqués holds the key to sound and stable growth of China-United States relations. The United States reiterates that it adheres to its "one China" policy and the principles set forth in the three joint China-United States communiqués.

As permanent members of the Security Council, China and the United States support the United Nations in its efforts, in accordance with the purposes and principles of the Charter of the United Nations, to play a positive and effective role on global issues, including peacekeeping and the promotion of economic and social development. Both countries support efforts to reform the United Nations and to make the Security Council more representative, while retaining and improving its effectiveness. Stressing the need to put the United Nations on a firmer financial basis, both countries will participate actively in discussions on the scale of assessments in the United Nations.

As two major countries in the Asia-Pacific region, China and the United States are ready to strengthen their cooperation to meet various challenges and make positive contributions to promoting stability and prosperity in the region. Recognizing that maintenance of peace and stability on the Korean peninsula is of great importance, the two countries are working through the four-party talks to help establish a durable peace on the peninsula, and will continue consultations to this end. They also stress that it is in the interest of the two countries to maintain peace and stability in other important regions, including the Middle East, the Gulf and South Asia.

The two Presidents agreed on a number of steps that will provide a framework for further promoting China-United States relations and strengthening their cooperation in international affairs.

High-level dialogue and consultations

China and the United States agree to regular visits by their Presidents to each other's capitals.

They agree to a Beijing-Washington presidential communications link to facilitate contact.

They also agree to regular exchanges of visits by cabinet and subcabinet officials to consult on political, military, security and arms control issues.

Cooperation on energy and the environment

China and the United States reaffirm the importance of bilateral cooperation across the broad range of environmental issues, as evidenced by the establishment of the China-United States Forum on Environment and Development in March 1997.

They consider it a critical challenge to develop and use energy resources efficiently, protect the global environment and promote environmentally sound growth and development. Accordingly, they agree to strengthen their cooperation in energy and environment through an initiative to accelerate clean energy projects and to transfer related technologies. The principal areas of cooperation will be in clean energy, urban air pollution control and rural electrification. This initiative also will foster broader cooperation on global environmental issues such as climate change, desertification and biodiversity. China's State Planning Commission and the United States Energy Department have signed the China-United States initiative on Energy and Environment Cooperation

to promote effective cooperation in those fields, including the use of clean energy.

Economic relations and trade

The two Presidents are prepared to take positive and effective measures to expand China-United States trade and economic ties. As both economies move into the twenty-first century, information technology will be critical to spurring technological innovation and improving productivity. In this regard, China indicated its intention to participate as soon as possible in the Information Technology Agreement. In addition, in the context of World Trade Organization (WTO) negotiations, China will continue to make further substantial tariff reductions. China and the United States agree that the full participation of China in the multilateral trading system is in their mutual interest. To that end, they agree to intensify negotiations on market access, including tariffs, non-tariff measures, services, standards and agriculture and on implementation of WTO principles so that China can accede to WTO on a commercially meaningful basis on the earliest possible date.

Peaceful nuclear cooperation

China and the United States agree that it is in their mutual interest to cooperate in the peaceful uses of nuclear energy. To that end, they each have taken the steps necessary to implement the China-United States Agreement on Peaceful Nuclear Cooperation concluded in 1985. In addition, China's State Planning Commission and the United States Department of Energy have signed an agreement of intent to promote peaceful nuclear cooperation and research between the two countries.

Non-proliferation

China and the United States agree to work to bring the Comprehensive Nuclear-Test-Ban Treaty into force on the earliest possible date. They also agree to pursue at the United Nations Conference on Disarmament the early start of formal negotiations on a treaty on the prohibition of the production of fissile materials used in nuclear weapons and other nuclear explosive devices.

China and the United States reiterate their commitment not to provide any assistance to unsafeguarded nuclear facilities and nuclear-explosion programmes. China has placed controls on exports of nuclear and dual-use materials and related technology and will take further measures to strengthen dual-use export controls by mid-1998. The United States will continue to enforce firm controls on the export of nuclear and dual-use materials and related technology. As original parties to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, China and the United States agree to cooperate in implementing the Convention within a multilateral framework. Both countries agree on the importance of government oversight of chemical-related exports. China and the United States agree to build on the 1994 Joint Statement on Missile Non-Proliferation. They reaffirm their respective commitments to the guidelines and parameters of the missile technology control regime.

Human rights

China and the United States both recognize the positive role of the Universal Declaration of Human Rights and other international human rights instruments in promoting human rights. They reiterate their commitment to the promotion and protection of human rights and fundamental freedoms.

While the two countries have not resolved their differences on human rights, they have agreed to discuss them through dialogue at both governmental and non-governmental levels in the spirit of equality and mutual respect. The two countries agree to hold discussions on the structure and functions of a non-governmental organization forum on human rights.

Cooperation in the field of law

China and the United States agree that promoting cooperation in the field of law serves the interests and needs of both countries.

They will strengthen cooperation in combating international organized crime, narcotics-trafficking, alien smuggling, counterfeiting and money-laundering. To that end, they intend to establish a joint liaison group for law enforcement cooperation composed of representatives of the relevant agencies of both Governments. They agree to begin consultations on mutual legal assistance aimed at concluding a mutual legal assistance agreement.

China and the United States will assign counter-narcotics officers to their respective embassies on a reciprocal basis.

Recognizing the importance China and the United States both attach to legal exchanges, they intend to establish a joint liaison group to pursue cooperative activities in this area. These may include exchanges of legal experts, training of judges and lawyers, strengthening legal information systems and the exchange of legal materials, sharing ideas about legal assistance, consulting on administrative procedures and strengthening commercial law and arbitration.

As part of this programme of legal cooperation, China's Minister of Justice will visit the United States in November 1997 at the invitation of the United States Attorney-General.

Military-to-military relations

China and the United States have reached agreement on the establishment of a consultation mechanism to strengthen military maritime safety, which will enable their maritime and air forces to avoid accidents, misunderstandings and miscalculations.

They agree to share information and discuss issues related to their respective experiences in the areas of humanitarian assistance and disaster relief.

Science and technology, education and cultural exchanges

The China-United States Joint Commission on Science and Technology will continue to guide the active bilateral scientific and technological cooperation programme, which involves more than 30 agreements reached since 1979, and will promote the further use of science and technology to solve national and global problems. China and the United States also will identify areas for cooperative projects using space for earth science research and practical applications.

China and the United States will expand educational and cultural exchanges. Both Presidents believe that increased people-to-people exchanges will help to cultivate long-term bilateral relations.

President Jiang Zemin expressed his thanks to President Clinton and the American people for their warm reception and invited President Clinton to visit China in 1998. President Clinton accepted this invitation with pleasure.